

**TELECONFERENCE
FUNERAL DIRECTORS EXAMINING BOARD
MINUTES
MADISON, WISCONSIN
October 28, 1999**

PRESENT: Rick Unbehaun, W. Robert Cress, Peter Schils and Bonnie Gift

ABSENT: Roy Pfeffer and Daniel Densow

STAFF PRESENT: Cletus Hansen, Jacquelynn Rothstein; Marlene Cummings, Bill Dusso

GUESTS: Assistant Attorney General, Bruce Olson

CALL TO ORDER

The meeting was called to order at 8:35 a.m. by Rick Unbehaun, Vice Chair. A quorum of four members was present.

RECESS TO CLOSED SESSION

MOTION: Peter Schils moved, seconded by Bonnie Gift, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats., to consider the licensing or discipline of a person licensed by the Board or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, monitoring issues, reinstatement requests, extension requests, examination challenges, deliberations on stipulations that may be signed after printing of the agenda, pending applications, and disciplinary proceedings. Motion carried unanimously by a roll call vote: Robert Cress-yes; Rick Unbehaun-yes; Peter Schils-yes; Bonnie Gift-yes.

Closed Session convened at 8:36 a.m.

CLOSED SESSION

The Board deliberated on issues relating to the sale of cemeteries by Cemetery Services, Inc., and SCI Wisconsin Funeral Services, Inc., in consultation with legal counsel and Assistant Attorney General Bruce Olson.

RECONVENE IN OPEN SESSION

MOTION: Peter Schils moved, seconded by Robert Cress, to reconvene in Open Session at 9:35 a.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

APPROVAL OF THE SALE OF SCI CEMETERIES TO S. E. SOUTH-CENTRAL, INC.

MOTION: Peter Schils moved, seconded by Bonnie Gift, to concur with the recommendation of Assistant Attorney Bruce Olson that the Funeral Directors Examining Board issue a letter to SCI denying that it has authority to approve or deny the sale of any cemetery properties, including approving the sale of the SCI-owned and/or operated Wisconsin cemeteries to S.E. South-Central, Inc. Motion carried unanimously.

MOTION: Peter Schils moved, seconded by Robert Cress, to concur with the recommendation of Assistant Attorney Bruce Olson that the Funeral Directors Examining Board grant an extension of time to the SCI-owned funeral establishments to operate under their 1997-1999 licenses, the time to be calculated as ten days after the department's written approval of the sale and that SCI be directed to provide to the Department no later than December 1, 1999, all the information that is necessary for the Department to make a decision to approve the sale. Motion carried unanimously.

MOTION: Peter Schils moved, seconded by Bonnie Gift, to concur with the recommendation of Assistant Attorney Bruce Olson that the Funeral Directors Examining Board request written assurances from SCI to support the representations made by its counsel regarding various aspects of the relationship between SCI and its subsidiaries and Stewart and its subsidiaries after the closing of the sale, outlined in greater detail in the Mr. Olson's memorandum, prior to issuing funeral establishment licenses for the SCI-owned funeral establishments for 1999-2001. Motion carried unanimously.

Note that Recommendation #4 pertains to action by the Department. Also note that Recommendation #5 relates to action that may be taken by the Funeral Directors Examining Board at a later date.

ADJOURNMENT

MOTION: Peter Schils moved, seconded by Rick Unbehaun, to adjourn the meeting at 9:40 a.m. Motion carried unanimously.